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ABSTRACT

Predictors of success in the law firm were studied through interviewing and survey administration. Selected partners at several of the top 100 law firms were interviewed, and 600 alumni of 2 elite law schools were surveyed. The alumni sample was comprised of 150 members of 2 graduating classes from the 2 institutions; those who graduated 7 and 8 years ago and were fairly well established in their careers, regardless of the type of career. Particular emphasis was placed on the initial 3 year period following law school graduation. Preliminary findings include the following: beyond an acceptable level, professional competence is not as important a criterion of success as are other less measurable characteristics; the law school attended is more important than actual performance in law school; possession of, or ability to assume organization characteristics (i.e., behaviors, appearances, and values) indigenous to the firm is more important for success than is exceptional professional skill; demonstration of professional commitment, willingness to work long hours, to place professional life and firm responsibilities above personal life, is characteristic of all fast trackers; a mentor or guiding individual has been influential in the careers of a significant number of fast trackers; and attainment within the initial 8 to 10 year period is most important and does not increase significantly with the passage of time. (SW)

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The Preparation Of Associate Attorneys; A Study Of The Determinants of Initial Success In Law Firm Practice

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The Preparation Of Associate Attorneys; A Study Of The Determinants Of Initial Success In Law Firm Practice

The major concern of this research lies with what the determinants of initial success as an attorney are rather than with the particulars which constitute characteristics and behaviors exhibited by attorneys already deemed as "successful". A primary distinction therefore has been made between success and initial success. Initial success is used to refer to the length of retention of associate attorneys within the law firm practice.

More recently recruited law school graduates who have satisfactorily passed a state Bar Examination and are salaried employees within a law firm are referred to as associates. While associates function in the capacity of legal practitioner, they are distinguished from partners who do not maintain an employee position but rather a percentage of actual partnership. Associates consequently are subject to regular evaluations, awarded bonuses or raises and can also be most readily dismissed from the organization. Initial success, for the purposes of this research, has referred to law school graduates who have been retained within the large law firm beyond three years and may either be under consideration for partnership or have been made partners most recently.

The purpose of this study is to identify the variables which have a greater degree of predictive validity of success in the law firm than those for which firms recruit. Each year large law firms recruit from a small pool of law schools. The graduates who obtain interviews with, and subsequently are offered associate positions by, the largest of firms are homogeneous to a great extent; they are in the top percentiles of their graduating classes, constitute a narrow range of scores on the Law School Admissions Test (L.S.A.T.), and have achieved highly in a quality undergraduate institution. While most of the largest law firms recruit between twenty and thirty associates in any given year, less than fifty percent of a given recruitment group remain beyond the third year. Only ten percent of the recruitment group will eventually become partners.

In considering the expense, monetary and human resource, involved in recruitment, it would seem that identification of the variables most predictive of potential success could be beneficial to not only law firms, but to law school graduates and law schools alike.

Data collection methods utilized in this study are interview and survey research methodology. While interviews have been conducted with selected partners at several of the top one-hundred law firms, the bulk of available data have been collected through the use of mail-out questionnaires. The recipients of these questionnaires have been the alumni of two law schools considered among the group of elite national law schools. The sample is

comprised of 150 members of two graduating classes from each of these two institutions; those who graduated seven and eight years ago and are fairly well established in their careers, regardless of what those careers might be. Thus the total population of respondents equals 600 alumni.

By virtue of matriculation from the selected two law schools is a group of professionals poised for success. In viewing them seven and eight years after completion of their legal training, some have already achieved highly in their fields and are partners at the largest of law firms while otners have parallel careers outside the law office having attained distinction, economic success, prestige, and power. Some have career paths which are indistinguishable from the career paths of graudates from less prestigious or elite law schools. Finally, still other members of this cohort, while hardly considered failures within the context of the society at large, comparatively are failures.

Retrospective data identifying the career paths of these individuals have been collected. Particular emphasis has been placed upon the initial three year period following law school graduation. It is during this period that the associate begins to develop a sense of direction and some notions of liklihood of partnership. The relationship between what members of this cohort are pursuing presently and what comprised their initial experiences following law school, is of particular interest. This is applicable

for all respondents, not just those presently working in the large law firm.

As a result of analysis of retrospective data, consideration of several factors arises: (1) What variables are highly predictive of career differentiation among members of a cohort group of potentially high achievers? These graduates are relatively homogeneous in terms of background, educational attainment and certification. (2) What are the major differences which separate so called "fast trackers" from normal career development and slow career development individuals? In modern society, an increasingly large number of elites work within the larger organizational cadre; doctors, lawyers, certified public accountants, architects, and service professionals. The most successful of this group will eventually control the economy and the polity.

Of the total number of lawyers in the United States, a good percentage practice law in influential settings -- whether governmental, corporate, or within the largest law firms in the country. It is beneficial to determine how the profession goes about selecting those who do succeed, who achieve well beyond the expectations for the graduates of elite institutions. What qualities or characteristics do these graduates display? What in their academic careers differentiates the "fast trackers" from their peers given their homogeneity? Further, what aspects of their values, of their ability to adhere or conform to the behavioral

norms and standards of the profession are transmitted within the law school setting? We might ask how important such elements of the "hidden curriculum" are in long term achievement levels.

Much is known about the way in which large law firms recruit their associates. However, it is not entirely clear what factors account for which members of that associate group do eventually succeed and become partners within the organization. It is important to mention why we select achievement within the large firm as the measure of success rather than achievement as a solo practitioner or governmental member.

For years, sociologists and educators have been interested in the study of elites or elite groups. Since World War II, lawyers have become members of an elite group in the United States, although not necessarily being aristocrats as a result of the term "elite". In this case, the members may be considered technocrats -- individuals possessed of specialized technical skills and knowledge. Subsequent to the war, the government has played an increasingly prominent role controlling and regulating the economic heart of society. Consequently, the role lawyers have played has become increasingly more significant and vital beyond the scope of the private sector or legal needs of the individual citizen. The number of attorneys concerned with laws of bank regulation, securities, taxation, antitrust, and pension regulation has increased dramatically. If we consider the relationshp between the economic sector and the governmental branches, the legal profession

represents the interface between the two. Certainly, the lawyers involved in this type of legal work are members of an elite group within the profession. The significance lies in the notion that the indirect power they can wield is of influence well beyond the boundaries of individual agencies or private corporations.

For the most part, it is the largest of law firms -- those with more than one hundred lawyers -- who are involved in legal practices impacting the society at large. While all partners at such firms are not influential, those who do not make partner in these organizations have a much smaller chance of being influential unless they pursue a parallel career path in governnment, politics, or industry and business. It is the most successful of law school graduates who attain influential positions within the legal profession; who achieve a degree of success not enjoyed by many "successful" graduates of less prestigious or elite law schools.

If we observe the graduates of two selected law schools representative of the group of elite national level institutions, we might then ask what in their career paths has served to differentiate them from less accomplished members of their cohort. We view this group several years after matriculation, enough years to determine what pattern has evolved, what paths they seem to be following, and what their future goals are.

The differentiation of professionals seemingly poised for high achievement has major implications across professional lines.

The use of a group of attorneys, or rather law school graduates, may lend insight into the differentiation of professionals in general. Literature pertaining to the distinctions between vocations, professions, and trades, indicates that all professions maintain a commonality of characteristics and consequently, similar requisites for high achievement.

Several questions are posed within this research. Since, for the purposes of this study, we are looking at a cohort of graduates from elite law schools and are concerned with the preparation of associate attorneys, initial success is characterized by those alumni who have been retained at equally prestigious law firms and are being considered for or have already been made partners. Attention has been given to the role of the law school. Since large law firms recruit from the same homogeneous pool of graduates, the impact of the law school as far as it may be a predictor of high professional attainment for some and not at all for others may be of particular importance. Of the variables impacting professional attainment, the law school may be the one most easily altered.

Given the role these individuals play within society at large, identification of these determinants may indicate what can be incorporated into the law school curriculum and what areas of concentration are most conducive to those seeking high attainment within the law firm. Beyond the profession of law, similar modifications may be warranted at professional schools in general. Further, it would seem that there exists a set of identifiable

variables which have a higher degree of predictive validity of initial success than either grade point average, L.S.A.T. scores, or Bar Examination scores.

Preliminary interviews were conducted for the purpose of a pilot study. Although analysis of the data obtained from the sample at large has not yet been completed, some preliminary findings have been formulated based upon only the pilot study. It is not yet clear whether or not these findings will be supported by the data obtained from the majority of respondents.

FINDINGS:

1. Beyond an acceptable level, professional competence is not as important a criterion of success as are other less measurable characteristics.

2. The law school attended is more important than actual performance in law school.

3. Possession of, or ability to assume organizational characteristics, i.e., behaviors, appearances, and values, indigenous to the firm is more important for success than is exceptional professional skill.

4. Demonstration of professional commitment -- willingness to work long hours, to place professional life and firm responsibilities above personal life, is characteristic of all "fast trackers".

5. A mentor or guiding individual has been influential in the careers of a significant number of "fast trackers".

6. Attainment within the initial eight to ten year period is most important and does not increase significantly with the passage of time.

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